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Trans.
Med. Coll. of Philadelphia

The following Report is distributed in print, in order that it may be deliberately examined by the Medical Profession in Philadelphia, prior to its being submitted to the general meeting before which it is intended to be laid.

In conformity with a RESOLUTION adopted by the meeting of PHYSICIANS OF PHILADELPHIA, held at the READING ROOM of the PHILADELPHIA MEDICAL SOCIETY, on the evening of the twentieth day of January, 1836, which RESOLUTION ran as follows:

RESOLVED, THAT a Committee be appointed to draft a plan for the organization of a new Medical College, to be located in the city of Philadelphia, on principles consonant with the interests of the Profession, and the present improved state of Medical Science.

The undersigned, composing the Committee, duly appointed on that occasion,

Report, That they have had frequent meetings on the subject referred to them, and have adopted, as the basis of their deliberations,—the generally conceded fact, that the existing systems of medical instruction are imperfect, and require correction;—together with the equally evident principles—1st. That *medical men* are the most competent *judges* of medical qualifications, of the true interests of their own profession, and of the means best calculated to give to that profession the most extended usefulness, and the highest respectability;—and 2nd. That the *Medical Community is the best guardian of the rights of the profession, and the safest repository of professional power.*

They, therefore, recommend the following broad outlines of a PLAN OF REFORM.

1. THE PHYSICIANS OF PHILADELPHIA shall be associated under a style or title to be hereafter determined, and, being duly and legally empowered, shall, in a Collegiate capacity, take suitable measures to ensure instruction within the limits of the City and County of Philadelphia, in all the necessary and collateral branches of Medicine, and to combine the utmost attention to the sick poor, with the improvement of Clinical Medicine.

2. The Association shall elect annually such officers as shall be prescribed hereafter by the Constitution and By-Laws.

3. The Association shall also elect a BOARD OF EXAMINERS, to consist of not less than *six*, nor more than *twelve* members;—to be elected at such times, and in such manner as the Constitution and By-Laws of the Association shall prescribe. No person shall be eligible as a member of this BOARD, unless he shall have attained

the age of *thirty-five* years, and shall have been a Doctor of Medicine for *ten* years; nor shall any person be capable of holding a station in the said BOARD, who, during the term of his appointment, is publicly engaged in lecturing upon any branch of medicine.

4. The BOARD OF EXAMINERS shall hold sessions at least twice in each year, at such times, place or places, and for such periods as the By-Laws of the Association shall ordain. They shall, then and there, examine the qualifications of all candidates for Degrees in Medicine from the College, in the manner prescribed by the *By-Laws*; and the said Board shall certify to the College their opinion of the fitness of all candidates whose Examination shall prove satisfactory to the BOARD.

5. No member of the BOARD OF EXAMINERS shall be permitted to vote on any question before the said BOARD, in which the merits of any candidate are involved, who is or has been the private pupil of the said member.

6. Any Graduate in Medicine of three years' standing, who shall have attained the age of twenty-five years, who shall have obtained his degree at any respectable medical school; and who shall have been resident within the City and County of Philadelphia, for at least twelve months immediately preceding the date of his proposal, shall be eligible to the Association, in the manner and form prescribed by the *By-Laws*.

The broad outlines which have just been presented by the Committee, were deemed necessary to enable the meeting to comprehend, at a glance, the principal features of the proposed plan, which would have been difficult, if all the requisite details had been given in a more systematic manner, loaded with legal phraseology.

But it is necessary that the *Constitution* of such an Association should enter into, and form part of the *Charter*—by which means alone the Association can become invested with corporate rights: and it should be remembered that a constitution, thus engrafted, becomes part of the *Law of the Land*, and is alterable only by the legislative power. It is highly important, then, that while the Constitution of the Association should be so worded as to give permanence and security to the Institution, its requisitions should be expressed in terms sufficiently general to allow due freedom of action, and to prevent the Association from being cramped in its honorable exertions by legal restraints, which must be construed, *not according to the spirit*, but according to the letter of the phrases.

On the other hand, where—from the generality of the terms of a *Charter*—much detail is necessarily left to the regulation of the *By-Laws*—it becomes necessary to guard against two evils inhe-

rent in all popular bodies;—a disposition to action under sudden excitement, without allowing time for due reflection; and an occasional neglect of duty under circumstances of high prosperity, which gives a dangerous power to party organization and sinister cabal.

However honorable those gentlemen may be, who now compose the Professional Community of Philadelphia, and fully as they are now awakened to the wants, interests, and duties of the Profession—the Committee cannot forget that, in the present movement, it is proposed to legislate for the future, as well as the present. Some caution is therefore necessary in giving due permanence to the requisitions of the By-Laws themselves, without embarrassing the freedom of action required to carry out the great objects, and secure the healthful action of the Association.

In order to meet these difficulties, and to discharge more fully the duty imposed upon them, the Committee respectfully present the following draft of a PREAMBLE, CONSTITUTION, and certain fundamental By-Laws.

CONSTITUTION.

WHEREAS, WE, the undersigned, Physicians of Philadelphia, have agreed to associate ourselves for the purpose of reclaiming, on behalf of the Profession, that influence over the regulation of medical instruction, and the means of medical improvement, which is so essential to the respectability of the Profession, and the best interests of Humanity; and

WHEREAS, WE are desirous of acquiring the rights and immunities of a body politic and corporate, for the furtherance of this legal and honorable purpose,

NOW THEREFORE, WE do hereby associate ourselves, under the following CONSTITUTION and By-Laws, for the purposes herein expressed.

ART. 1. The Association shall be forever hereafter called and known by the name of THE MEDICAL COLLEGE OF PHILADELPHIA.

ART. 2. The objects of the said College shall be, to cultivate the Science of Medicine, and all its collateral branches; to establish such lectureships or professorships as the said College may judge to be necessary from time to time, for the advancement of Medical education; and to investigate and improve the systems of Hospital Management and Clinical Instruction.

ART. 3. *

ART. 4. The Officers of the said College shall be a President, two Vice Presidents, a Corresponding Secretary, a Recording

* This article is designedly left to be drawn up hereafter in legal form, to confer the right of holding and disposing of property.

Secretary, a Treasurer, and such other officers as may be designated by the By-Laws, to be chosen annually, from among the members of the said College, on the first Monday in March, forever thereafter, or within three calendar months after the same day in any year; and the said Officers, thus elected, shall be and remain the President, Vice President, &c. respectively, until their places be supplied by a new election to be made by the members of the said College as aforesaid; and all vacancies by death, resignation, or otherwise, which shall at any time hereafter happen in any of the said offices, may be filled by a special election, to be holden as often as occasion shall require; and the duties of the said Officers severally shall be prescribed by the By-Laws.

ART. 5. The said College shall have power to grant and confirm, in the manner and form prescribed by its By-Laws, such degrees in medicine or the branches thereof, to such Students of the College, or others, whom, by their proficiency in learning or other meritorious distinction, they shall think entitled to them, as are usually granted in other Colleges and Universities, and to grant to such graduates such Diplomas or Certificates, under its common seal, as may authenticate and perpetuate the memory of such graduation.

ART. 6. The said College shall have power to make, have, and use one common seal, with such device and inscription thereon as it shall think proper, and the same to break, alter, and renew at its pleasure; it shall have power and authority to make Rules, By-Laws, and ordinances, and to do every other act and thing needful for the good government and support of the affairs of the said College; Provided always, That the said Rules, By-Laws or Ordinances, or any of them, be not repugnant to the Constitution of the United States, and the Laws of this Commonwealth, or to this Instrument.

ART. 7. The said College shall establish, on or before the first day of June next, a Board of Examiners, to consist of not less than six persons, Physicians resident in the City and County of Philadelphia, who shall be chosen at such times, in such manner, and for such periods as the By-Laws of the College shall ordain; and it shall be the duty of the said Board to examine into the qualifications of such Students or others as may appear before them, and to certify the same to the College.

ART. 8. The said College shall hold regular stated meetings, forever hereafter, at least once in every period of three months; Provided always, That no meeting of the said College shall be held, unless called and announced in two or more of the daily papers published in Philadelphia, at least one week before the time at which the said meeting is intended to be held.

ART. 9. No misnomer of the said corporation shall defeat or annul any gift, grant, devise or bequest, to or from the said cor-

poration: Provided, the interest of the parties shall sufficiently appear on the face of the gift, grant, will, or other writing, whereby any estate or other interest was intended to pass to or from the said corporation.

BY-LAWS.

I. OF OFFICERS.

1. The Officers of the College shall be a PRESIDENT, two VICE-PRESIDENTS, a TREASURER, a CORRESPONDING SECRETARY, a RECORDING SECRETARY, and two CURATORS; to be chosen annually by ballot on the first Monday in March, or within three calendar months thereafter.

II. OF MEMBERS and MEMBERSHIP.

The College shall consist of *Members* and *Associates*.

1. *Of Members*.—Any citizen of the United States and Graduate of three years standing, from a respectable medical school, who shall have attained the age of twenty-five years, and who shall have been a resident within the City and county of Philadelphia for at least twelve months immediately previous to his proposal, may be nominated in writing, at any regular stated meeting, by two members; one of whom shall declare that he is qualified for membership, according to the above mentioned prerequisites. At the next stated meeting, the nomination shall be called up and commented upon; and, if the College shall express its readiness therefor by a previous vote, the candidate may be balloted for, and if two thirds of the votes given in are found in the affirmative, the whole number thus given in, being twelve or more, the *Presiding Officer* shall declare the candidate to be duly elected a member of the College; and it shall be the duty of the *Recording Secretary* to forward a written notification of this fact to the candidate elect, accompanied by a printed copy of the regulations.

2. *Of Associates*.—Any *Physician* who is a citizen of the United States, of well known and distinguished merit, not resident in Philadelphia, may be nominated and elected as an associate of the College in the manner and form prescribed in the last section. Associates shall enjoy all the rights of membership, except those of voting and of eligibility to office.

3. Every member of the College shall pay to the *Treasurer*, annually on the first Monday of July, the sum of five dollars; *Provided*, That he shall be at all times at liberty to commute this contribution by the payment of fifty dollars in one sum, which payment shall exempt him from all annual contributions to the College during life.

4. Any member removing permanently from Philadelphia, or remaining absent therefrom during the term of three years, shall forfeit thereby his right of voting on any question connected with the local interests of the College, or the business of medical instruction therein; nor shall he be permitted to resume such right on becoming again a resident in Philadelphia, until after the expiration of one entire year; all his other rights as a member remaining unaltered.

5. No member shall be permitted to take his seat in the College, until he shall have subscribed his name to a declaration of obedience to the ordinances of the College, so long as he shall continue to be a member of the same.

6. A manuscript copy of all unpublished ordinances actually in force, shall be made accessible to the members at every stated meeting, and at such other times and places as the College shall, from time to time direct by special resolution; and the *Recording Secretary* shall be responsible for the execution of this injunction.

7. If any member delay the payment of his annual contribution until the expiration of one year from the date at which it becomes legally due, he shall forfeit thereby his right to vote on any question before the College, until the said debt be paid: and if he shall delay the payment of any annual contribution until the expiration of two years from the date at which it becomes legally due, he shall thereby cease to be a member of the College, except in case of continued absence from Philadelphia.

III. OF THE BOARD OF EXAMINERS.

ART. 1. *Of the Election.*

1. The College shall choose by ballot, at the time of the first annual election, six graduates in medicine of at least ten years standing, and of distinguished reputation in their profession, each of whom shall have attained the age of thirty-five years, to serve as a *Board of Examiners* whose duties shall be hereafter prescribed. Of the said six Examiners, two shall be chosen by name, to serve for the term of one year; two others, by name, to serve for the term of two years;—and two others, also by name, to serve for the term of three years.

Moreover, annually thereafter the College shall elect, in like form and manner, two persons, similarly qualified, to serve for the term of three years, in place of those whose term of office shall have expired.

2. If, at any time, a vacancy or vacancies should occur, in the said *Board of Examiners*, by death, resignation, or otherwise, the College shall proceed to fill the said vacancies at a meeting called for that especial purpose; of which meeting notice shall be given, in writing to every member of the College, by the *Recording Secretary*, at least two weeks before the time at which the said meeting is held.

3. No election for a member or members of the *Board of Examiners* shall be held at any meeting when less than twenty members of the College are present; and the affirmative vote of two thirds of those present shall be necessary to effect such election.

4. No person shall be elected to the *Board of Examiners* who is actually engaged in publicly lecturing upon any branch of medicine at the time of holding the election; and if any person duly elected to the *Board* should engage, at any time during his term of service therein, in publicly lecturing on any branch of medicine, his station in the *Board* shall be thereby rendered vacant; *Provided, only, That* remarks at the bed side, in a Hospital, shall not be considered as constituting public lectures.

ART. II. Of the Inauguration.

1. At the stated meeting of the College next succeeding the election of any member or members of the *Board of Examiners*, the said member or members shall appear before the College, and the *Presiding Officer* shall deliver to them the following *Address*.

Sir or Gentlemen,

The Medical College of Philadelphia, reposing high confidence in your professional honor and scientific attainments, has publicly expressed the same by selecting you to aid in the performance of the most important duties which devolve upon it, by electing you a member (members) of the *Board of Examiners* instituted by its charter. In accordance, then, with the regulations by law established:

Do you solemnly Declare and Affirm, That, so long as you continue a member (members) of the said *Board*, you will *faithfully, justly, and impartially* discharge the trusts and duties, both legal and moral, imposed upon you by the ordinances in this case made and provided.

Assent being given, the *Presiding Officer* shall declare the said member or members to be duly *inaugurated*.

ART. III. Duties of the Board.

1. The *Board of Examiners* shall hold two stated sessions annually, for the examination of such students or others as shall appear before them as candidates for any degree in medicine recognized by the College, in the manner hereafter prescribed.

2. Not less than one hour shall be devoted to the examination of any candidate by the said *Board*; nor shall more than four candidates be examined in any one day.

3. The *Board* shall have power to make such division of its duties among its members as it shall judge proper: but each member shall be required to express his opinion on the general fitness of the candidate for medical honours, without particular regard

to the especial branch or branches upon which it may be made his duty to examine.

4. In order to warrant a favourable report upon the qualifications of any candidate, it shall be necessary that two-thirds of the whole board vote in the affirmative.

5. The examinations shall extend to such branches of medicine as the College shall have determined, *Provided only*, That no alteration of the ordinances enacted to regulate the examination, shall be permitted to exert a prejudicial influence on any candidate who shall have pursued his preliminary studies, in good faith, according to the previous regulations of the College.

6. No member of the *Board* shall be permitted to express an official opinion upon the merits of any candidate who shall be, or shall have been his own private pupil.

IV. OF GRADUATION AND DIPLOMAS.

1. The requisites for *Graduation* shall be left for future regulation by the College; *Provided only*, That the period of study demanded of the student before he can appear as a candidate for the degree of Doctor of Medicine, shall, in no case be less than three years.

2. All *Diplomas* for degrees in medicine shall be signed by the members of the *Board of Examiners*, and by the *President, Vice-Presidents*, and *Corresponding Secretary* of the College; which officers shall enjoy the right of being present at all examinations.

All which is Respectfully submitted,

THOMAS T. HEWSON, M. D.	} Committee.
REYNELL COATES, M. D.	
JOHN BELL, M. D.	
SAMUEL G. MORTON, M. D.	
ROBERT M. HUSTON, M. D.	

Philadelphia Feb. 10th, 1836.